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Feds: Suspect was teen's teacher

By Carlos Illescas
Denver Post Education Writer

Feb. 26 - The North High School teacher who was charged this week with harboring a teenage undocumented immigrant not only had sex with the boy in Mexico but also taught him in school in Denver, federal officials said Friday.

According to testimony by a federal customs agent, Michael Charles Smith taught math at North to the teen - one of three Mexican boys Smith helped bring to Denver.

U.S. Customs Agent Manuel Olmos said the Mexican boy also told him Smith wanted them to be a family. "Smith was trying to adopt" the boy, Olmos said.

The teen also told Olmos that Smith had a fake birth certificate with the names of Smith and the Mexican teen on them, Olmos testified.

Officials with Denver Public Schools were checking on whether Smith, a 28-year veteran of DPS, had contact in a school setting with any of the three Mexican boys Smith lived with in his West Byers Place home.

North High Principal Joe Sandoval urged any of his students who believed that they were victimized by Smith to come forward. No one had as of Friday afternoon, Sandoval said.

One North High student who remembered speaking with the victim said he knew that the Mexican boy and Smith were living together.

"I just thought it was a teacher who brought in a foreign student," said North High 12th-grader Raul Ambriz, who was a classmate of the boy.

On Friday, the 50-year-old Smith had another charge brought against him: transporting a foreign minor with the intent of engaging in criminal sexual activity. That charge carries a maximum of 15 years in prison and a $250,000 fine.

Magistrate Judge Bruce D. Pringle set Smith's bail at $150,000, despite pleas from the U.S. Attorney's office that Smith be jailed indefinitely. Bond is expected to be posted Monday.

Still to be decided is whether Smith will be required to enter a halfway house or wear an ankle monitor to ensure he doesn't flee. Smith has been suspended from his job at North with pay pending an investigation and outcome of the case.

On Wednesday, Smith was arrested for allegedly harboring an undocumented immigrant. In court papers, there were also allegations Smith frequented Mexico to have sex with underage boys, then brought at least three back to Denver.

In court documents, Smith was alleged to have participated in a sex ring involving Mexican teenagers. He allegedly would visit them in Mexico, have sexual relations with them, then bring some back to Colorado. Smith and the others in the ring allegedly used an Acapulco "bed and board" to have relationships with the boys.

Smith and several other adults exchanged child porn via the Internet, statements in court documents say. As of Friday evening, Smith had not been charged in connection with child pornography, although federal agents searched his house Wednesday looking for evidence.

Smith's attorney, Roger Moore, noted in arguments that police interviewed the alleged victims three times before any of them said Smith molested them.

"There's no evidence of child pornography" either, Moore said.

Smith does not have a criminal record, which was a factor in Pringle allowing Smith bail. Smith, however, was detained in 1991 in Arizona for trying to smuggle an undocumented immigrant into the country. He was not charged in that incident.

Officials for the Denver school district said there's really no way to know when one of their employees commits a crime, especially out of state. DPS performs background checks on all its employees, but only before they are hired.

"We do not have the resources or the systems to do background checks of existing employees," said DPS spokesman Mark Stevens.

John Ingold contributed to this report.

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